

Remarks


Claims 7-8 stand rejected under 35 U.S.C. §103(a) over U.S. Patent 4,866,762 (Pintar) in view of U.S. Patent 5,563,933 (August). Claim 7 requires processing the called telephone number to select a route for the call if the called telephone number is toll-free. In Pintar, a device 10 is coupled in between a telephone and the telephone line. (See Pintar, column 1, lines 53-68). In Pintar, the caller dials a "permanently disconnected" toll-free number to program the device 10, and since the toll-free number is "permanently disconnected", the telephone network does not attempt to provide any telephone service, and thus, there is no actual telephone call when the toll-free number is used. (See Pintar, Abstract; and column 5, line 63 to column 6, line 3). Pintar uses the toll-free number to program device 10, but not to place a telephone call through device 10. Pintar does not select a route for the call if the called telephone number is toll-free, because if the toll-free number is used, there is no call, and there is no route to select if there is no call.

Pintar clearly teaches away from a combination with August. August is a complex network system including network switches, databases, voice recognition units, etc. (See August, Figure 1). Pintar is a simple, inexpensive device for a telephone or wall jack. (See Pintar, column 1, lines 53-68) It is improper to force a combination of August into Pintar, since the goal of Pintar is to avoid complex systems like those of August. Pintar and August are radically different in location, complexity, and cost. The object of Pintar is to provide an inexpensive device that can be located in the telephone or wall jack. It would be highly impractical, if not impossible, to integrate the complex network systems of August into the cheap "wall jack" device of Pintar as suggested by the recent Office Action.

In addition, the motivation to combine Pintar and August is given as providing "better service". This vague motivation could be used to prevent any inventive combination of known components that result in better service – as most telecom inventions do. The generic motivation of "better service" looks more like an excuse to piece together the invention from the prior art using improper hindsight reasoning.

Pintar does not teach the toll-free call processing as claimed, and the combination of August into Pintar is improper. This rejection should be withdrawn.

Applicants submit that there are numerous additional reasons in support of patentability, but that such reasons are moot in light of the above remarks and are omitted in the interests of brevity. Applicants respectfully request allowance of claims 7-8.


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